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PACIFIC MSO, LLC,
12 PRELUDE FERTILITY, INC, and
JOSEPH CONAGHAN, PhD
13

14 **UNITED STATES DISTRICT COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**

16 IN RE PACIFIC FERTILITY CENTER
17 LITIGATION

Case No. 3:18-cv-01586-JSC

18 **STIPULATION AND ~~PROPOSED~~**
19 **ORDER EXTENDING TIME TO FILE**
20 **DECLARATIONS AND RESPONSES TO**
21 **MOTIONS TO SEAL**

22 Crtrm: E, 15th Floor
23 Judge: Honorable Jacqueline Scott Corley
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Pursuant to Local Rules 6-1(b), 6-2, and 7-12, Third-Party Pacific MSO, Plaintiffs, and Defendant Chart, Inc., by and through their respective counsel, respectfully submit this Stipulation and [Proposed] Order extending the time within which to file declarations and responses to Administrative Motions to File Under Seal.

WHEREAS, on December 22, 2020, Plaintiffs and Chart filed Administrative Motions to File Under Seal (ECF Nos. 630, 633) (collectively, “Administrative Motions”);

WHEREAS, the Administrative Motions identify documents to be filed under seal (“Subject Materials”), in whole or in part, including:

- Plaintiffs’ Motion to Exclude Expert Testimony;
- Exhibits 1-11 and 13-14 to the Declaration of Amy M. Zeman in Support of Plaintiffs’ Motion to Exclude Expert Testimony;
- Plaintiffs’ Proposed Order to Exclude Expert Testimony;
- Declaration of Kevin M. Ringel in Support of Chart’s Notice of Motion and Motion to Exclude Plaintiffs’ Expert Dr. Elizabeth Grill;
- Exhibits A-D to the Ringel Declaration in Support of Chart’s Motion to Exclude Plaintiffs’ Expert Dr. Elizabeth Grill;
- Declaration of Kevin M. Ringel in Support of Chart’s Notice of Motion and Motion to Exclude Plaintiffs’ Experts Anand Kasbekar and David Wininger;
- Exhibits A-K to the Ringel Declaration in Support of Chart’s Motion to Exclude Plaintiffs’ Experts Anand Kasbekar and David Wininger;
- Declaration of Kevin M. Ringel in Support of Chart’s Notice of Motion and Motion for Summary Judgment;
- Exhibits A-F of the Ringel Declaration in Support of Chart’s Motion for Summary Judgment.

(Declaration of Julie Y. Park (“Park Decl.”) ¶ 3);

WHEREAS, the Subject Materials reference, report, copy, excerpt, summarize, or compile documents that the parties produced in this action as “Confidential” or “Highly Confidential – Attorneys’ Eyes Only” pursuant to the Second Amended Stipulated Protective Order for Highly

1 Sensitive Confidential Information (ECF No. 598) and that may bear on the confidentiality of the
 2 Subject Materials (Park Decl. ¶ 4);

3 WHEREAS, the party that designated the material as confidential must file, within 4 days
 4 of the filing of the Administrative Motions, declarations and responses to the Administrative
 5 Motions, and the current deadline for any such declarations and responses is Monday,
 6 December 28, 2020 (Park Decl. ¶ 5);

7 WHEREAS, the parties are currently analyzing the Subject Materials to determine which
 8 portions are sealable (Park Decl. ¶ 6);

9 WHEREAS, many businesses, including the offices of undersigned counsel, are closed
 10 December 24 and/or 25, 2020, and will be short-staffed over the next week because of the
 11 holidays (Park Decl. ¶ 7);

12 WHEREAS, Plaintiffs, Defendants, and Third Party Pacific MSO have agreed to an
 13 11-day extension of the deadline to file declarations and responses to the Administrative Motions
 14 (Park Decl. ¶ 8);

15 WHEREAS, the extension of time will not alter the date of any event or any deadline
 16 already fixed by Court order (Park Decl. ¶ 10);

17 NOW, THEREFORE, Plaintiffs, Defendant, and Third Party Pacific MSO, through their
 18 respective counsel, hereby stipulate that the deadline for the parties to file declarations and
 19 responses to the Administrative Motions is extended 11 days, until January 8, 2021.

20 **IT IS SO STIPULATED.**

21
 22 Dated: December 23, 2020

By: /s/ Julie Y. Park
 Erin M. Bosman
 William F. Tarantino
 Julie Y. Park
MORRISON & FOERSTER LLP

*Attorneys for Third Parties Pacific MSO, LLC,
 Prelude Fertility, Inc, and Joseph Conaghan*

1 Dated: December 23, 2020

By: /s/ Amy M. Zeman

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Plaintiffs' Counsel

1 Dated: December 23, 2020

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Attorneys for Defendant Chart Inc.

17 **FILER'S ATTESTATION**

18 Pursuant to Civil L.R. 5-1(i)(3), regarding signatures, I, Julie Y. Park, attest that
19 concurrence in the filing of this document has been obtained.

20 Dated: December 23, 2020

/s/ Julie Y. Park
Julie Y. Park

24 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

26 Dated: December 28, 2020

